

Panaji, 16th October, 2024 (Asvina 24, 1946)

SERIES I No. 28

# OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

## EXTRAORDINARY No. 4

### GOVERNMENT OF GOA

Department of Law

Legal Affairs Division

#### Notification

8/7/2024-LA-187

The Goa Clinical Establishments (Registration and Regulation) (Second Amendment) Ordinance, 2024 (Ordinance No. 7 of 2024) which has been promulgated by the Hon'ble Governor of Goa on 10-10-2024 is hereby published for the general information of the public.

*Dnyaneshwar Raut Dessai*, Joint Secretary (Law).

Porvorim, 15th October, 2024.

The Goa Clinical Establishments  
(Registration and Regulation)  
(Second Amendment) Ordinance, 2024  
(Ordinance No. 7 of 2024)

*Promulgated by the Governor of Goa in the  
Seventy-fifth Year of the Republic of India.*

I, P. S. Sreedharan Pillai, Governor of Goa, in the Seventy-fifth Year of the Republic of India, promulgate "The Goa Clinical Establishments (Registration and Regulation) (Second Amendment) Ordinance, 2024".

An Ordinance further to amend the Goa Clinical Establishments (Registration and Regulation) Act, 2019 (Goa Act 19 of 2019).

Whereas, the Legislative Assembly of Goa is not in session and I am satisfied that circumstances exist which render it necessary for me to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, I am pleased to promulgate the following Ordinance, namely:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Goa Clinical Establishments (Registration and Regulation) (Second Amendment) Ordinance, 2024.

(2) It shall be deemed to have come into force on the 15th day of March, 2024.

2. *Insertion of new section 20A.*— After section 20 of the Goa Clinical Establishments (Registration and Regulation) Act, 2019 (Goa Act 19 of 2019) (hereinafter referred to as the "principal Act"), the following section shall be inserted, namely:—

"20A. *Extension of time limit for provisional registration.*— (1) Notwithstanding anything contained in this Act or any other law for the time being in force, the provisional registration

granted under this Act in the past which has lapsed or which is subsisting shall stand revived or extended and shall be deemed to be valid for a period of one year from the date of coming into force of this section.

(2) Notwithstanding anything contained in this Act or any other law for the time being in force, the clinical establishments who have not obtained provisional or permanent registration under this Act shall be entitled to apply and obtain permanent registration under this Act within a period of one year from the date of coming into force of this section.”.

3. *Amendment of section 47.*— In section 47 of the principal Act, sub-section (3) shall be omitted.

4. *Repeal and Saving.*— (1) The Goa Clinical Establishments (Registration and Regulation) (Amendment) Ordinance, 2024 (Ordinance No. 4 of 2024) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Ordinance.

Raj Bhavan,  
Dona Paula, Goa.      *P. S. Sreedharan Pillai*  
Date: 10-10-2024.      Governor of Goa.

-----  
**Notification**

7/24/2024-LA-184

The Goa Legislative Diploma No. 2070 dated 15-04-1961 (Amendment) Act, 2024 (Goa Act 22 of 2024), which has been passed by the Legislative Assembly of Goa on 07-08-2024 and assented to by the Governor of Goa on 10-10-2024, is hereby published for the general information of the public.

*Dnyaneshwar Raut Dessai*, Joint Secretary (Law).

Porvorim, 15th October, 2024.

The Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 2024

(Goa Act 22 of 2024) [10-10-2024]

AN

ACT

*further to amend the Legislative Diploma No. 2070 dated 15-4-1961, in its application to the State of Goa.*

BE it enacted by the Legislative Assembly of Goa in the Seventy-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 2024.

(2) It shall come into force on such date, as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of article 30.*— In article 30 of the Legislative Diploma No. 2070 dated 15-4-1961 (hereinafter referred to as the “principal Code”), in clause (4) after sub-clause (gg) the following sub-clause shall be inserted, namely:—

“(ggg) granting no objection certificate for access to any plot of land or license to use any land belonging to the Comunidade for any commercial event.”.

3. *Insertion of new article 41-A.*— After article 41 of the principal Code, the following article shall be inserted, namely:—

“Art. 41-A— In case,—

(a) any component has filed or files a legal proceeding to claim any right in land of, or ownership of which is claimed by, the Comunidade; or

(b) a Comunidade has filed a legal proceeding against any component for encroachment done, or illegal construction carried out, by him on the land of Comunidade or for right of title to land claimed by the Comunidade and such component has been declared by an order

of any legal forum to have encroached upon land of a Comunidade or carried out any illegal construction on Comunidade land,—

(i) a component referred at (a) above shall not be eligible to contest election to any post in the managing committee of such Comunidade and in case he is holding any post in the managing committee, he shall cease to be member and from the date of filing of such legal proceeding he shall be deemed to have vacated his office.

(ii) a component referred at (b) above shall be permanently barred from contesting election to, or holding, any post in the managing committee of any Comunidade. If such component is holding any post in the managing committee, from the date of such order he shall, cease to be a member and, deemed to have vacated his office.

Any stay order or interim relief in pending appeal or revision or writ petition, in respect of the issue of ownership of land or encroachment or illegal construction, as the case may be, as referred above that may be obtained by the component, shall not entitle him to contest the election to the managing committee of any Comunidade.”.

4. *Insertion of new article 181-A.*— After article 181 of the principal Code, the following article shall be inserted, namely:—

“*Art. 181-A.*— (1) Notwithstanding anything contained in this code, in the event a Comunidade is unable to hold election of the members of managing committee within the time limit specified in article 47 due to non-constitution and non-deliberation of the Comunidade as per the provisions of article 34, the administrator shall after holding such inquiry as he deems fit declare such Comunidade as ‘comunidade in default’ by issuing an order upon expiry of 60 days from the date of such time limit as specified in article 47.

(2) The Order issued under clause (1) shall be intimated to the concerned Comunidade and also be published immediately in the Official Gazette within 15 days of its issuance and Administrator shall immediately submit a copy of the Order to the Government. Cost of publication in the Official Gazette shall be paid out of funds of concerned Comunidade.

(3) If any component of such Comunidade is aggrieved by such order then he may file an appeal to the Government within 30 days from the date of publication of such order in the Official Gazette.

(4) The Government shall, after hearing appellant and the administrator, decide the appeal as expeditiously as possible and within 60 days from the date of presentation of such appeal and the decision of the Government thereon shall be final.

(5) Upon issuance of the Order of the administrator under clause (1), and subject to decision of the Government under clause (4) in appeal, if any, the Government shall appoint an officer of the rank of Mamlatdar/Jt. Mamlatdar to be a custodian for the concerned Comunidade for the respective triennium.

(6) The custodian appointed under clause (5) shall exercise all powers and discharge all functions and duties of the managing committee of such Comunidade under the Code.

(7) Against any decision of the custodian appointed under clause (5), a component of such Comunidade may prefer an appeal to the respective administrator as if such decision is of a managing committee and all the provisions as applicable to such appeals shall apply to appeals under this clause.

(8) Any decision relating to any matter which need to be brought before the Government for prior approval in terms of article 31, shall be applicable to every such decision of the custodian.

(9) Notwithstanding anything contained in this Code, the Government shall have power to, either *suo moto* or otherwise, review a decision of the custodian, or the decision of the administrator in appeal against a decision of the custodian under clause (7):

Provided that if the Government exercises such *suo moto* power, the administrator shall not consider any issue arising out of such decision of the Custodian which the Government, is seized of or has decided:

Provided further that no such *suo moto* power shall be exercised after a period of one year from the date of such decision which is sought to be reviewed.”.

5. *Insertion of new Chapter IVA.*— After Chapter IV of the principal Code, the following chapter shall be inserted, namely:—

#### “CHAPTER IV A

##### Grant of Licence

*Art. 316-A*— A Comunidade may grant licence to use its land or any portion thereof for commercial event upon an application made by any person in the prescribed form to the administrator and upon payment of non-refundable processing fee to the administrator as prescribed and licence fees as decided by the concerned Comunidade.

*Explanation.*— *Commercial* event shall mean any event for which admission/entry fees are charged or levied. The mere fact that free passes are also provided it shall not make such event a non-commercial event.

*Art. 316-B*— Any request for grant of licence under article 316-A shall be decided by the managing committee of the Comunidade.

*Art. 316-C*— After receipt of application under article 316-A the administrator shall carry out preliminary examination of such application and within 48 hours of its

receipt, he shall forward such application with its annexures to the concerned Comunidade.

*Art. 316-D*— Upon receipt of the application, the managing committee shall call for a Special General Assembly/General Body Meeting to be held within 30 days from the date of receipt of the application from the administrator and place the application before the General Assembly/General Body for appropriate decision.

*Art. 316-E*— In the event the General Assembly/General Body decides in favour of the request, the managing committee shall immediately within seventy-two hours, inform the concerned administrator of such decision by enclosing copy of the minutes of the meeting and Resolution of the General Assembly/General Body by clearly specifying therein the licence fees to be payable to the Comunidade.

*Art. 316-F*— Upon receipt of the intimation under article 316-E, the administrator shall peruse the resolution and make a report and forward the same to the Government within four days from the receipt of such intimation.

*Art. 316-G*— Upon receipt of the report of the administrator under article 316-F, the Government shall consider the resolution of the General Assembly/General Body of the Comunidade and the report of the administrator and by taking into account the interest of the Comunidade and such other matters as deemed fit, may approve the request for grant of licence to use land belonging to Comunidade or any portion thereof for commercial event.

*Art. 316-H*— The grant, if any, made under this Chapter, shall be on payment of licence fees not below the rate as prescribed by the Government.

*Art. 316-I*— No communication granting the license shall be issued by the Comunidade, unless the applicant produces a copy of the receipt of the payment of the license fee in favour of the

Comunidade and also of the administrative fee @20% in favour of the concerned Administrator of Comunidades”.

6. *Amendment of article 334-C.*— In article 334-C of the principal code,—

(i) the existing provision shall be numbered as clause (1);

(ii) after clause (1) so numbered, the following clause shall be inserted, namely:—

“(2) The procedure to be followed for grant of land under clause (1) shall be such as prescribed by the Government.

(3) The land granted on long lease under clause (1) shall be deemed to be land granted as *emphyteusis* under this Code.”.

7. *Insertion of new article 334-D.*— After article 334-C of the principal Code, the following article shall be inserted, namely:—

“334-D—If a grant has been made of any Comunidade land to any religious institution, whether a *Mazania* of a temple or a temple or *Fabrica* of a Church or a Church, or any religious trust, without payment of any *foro* and such land is held legally by such grantee for more than fifty years, then such land shall stand vested in such grantee absolutely and without any encumbrance and the Comunidade shall be divested of its rights in or upon the said land.”.

Secretariat,  
Porvorim-Goa.  
Dated: 15-10-2024.

SANDIP JACQUES  
Secretary to the  
Government of Goa,  
Law Department  
(Legal Affairs).

-----  
**Notification**

7/22/2024-LA-186

The Goa Panchayat Raj (Amendment) Act, 2024 (Goa Act 24 of 2024) which has been passed by the Legislative Assembly of Goa on 01-08-2024 and assented to by the Governor of Goa on 10-10-2024, is hereby

published for the general information of the public.

*Dnyaneshwar Raut Dessai*, Joint Secretary (Law).

Porvorim, 15th October, 2024.

-----  
**The Goa Panchayat Raj (Amendment)**

**Act, 2024**

(Goa Act 24 of 2024) [10-10-2024]

AN

ACT

*further to amend the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994).*

Be it enacted by the Legislative Assembly of the State of Goa in the Seventy-fifth Year of the Republic of India, as follows:

1. *Short title and commencement.*— (1) This Act may be called the Goa Panchayat Raj (Amendment) Act, 2024.

(2) It shall come into force at once.

2. *Amendment of section 18.*— In section 18 of the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994) (hereinafter referred to as the “principal Act”), in sub-section (8), for the expression “Indian Evidence Act, 1872 (Central Act 1 of 1872)”, the expression “Bharatiya Sakshya Adhiniyam, 2023 (Central Act 47 of 2023)” shall be substituted.

3. *Amendment of section 219.*— In section 219 of the principal Act, for the expression “within the meaning of Section 21 of the Indian Penal Code”, the expression “as defined in clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)” shall be substituted.

4. *Amendment of section 239-C.*— In section 239-C of the principal Act, in sub-section (3), for the expression “sections 193, 219 and 228 of the Indian Penal Code, 1860 (Central Act 45



of 1860)", the expression "sections 229, 257 and 267 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)", shall be substituted.

SANDIP JACQUES  
Secretary to the  
Government of Goa,  
Law Department  
(Legal Affairs).  
Secretariat,  
Porvorim-Goa.  
Dated: 15-10-2024.

**Notification**

7/26/2024-LA-185

The Indian Stamp (Goa Amendment) Act, 2024 (Goa Act 23 of 2024) which has been passed by the Legislative Assembly of Goa on 01-08-2024 and assented to by the Governor of Goa on 10-10-2024, is hereby published for the general information of the public.

*Dnyaneshwar Raut Dessai*, Joint Secretary  
(Law).

Porvorim, 15th October, 2024.

**The Indian Stamp (Goa Amendment)  
Act, 2024**

(Goa Act 23 of 2024) [10-10-2024]

AN

ACT

*further to amend the Indian Stamp Act, 1899  
(2 of 1899), as in force in the State of Goa.*

BE it enacted by the Legislative Assembly of Goa in the Seventy-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Indian Stamp (Goa Amendment) Act, 2024.

(2) It shall be deemed to have come into force on 29th day of February, 2024.

2. *Amendment of section 3A.*— In section 3A of the Indian Stamp Act, 1899 (2 of 1899), as in force in the State of Goa, in sub-section (1), in the first proviso, for the words "fifteen times", the words "six times" shall be substituted.

3. *Repeal and saving.*— (1) The Indian Stamp (Goa Amendment) Ordinance, 2024 (Ordinance No. 1 of 2024) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Indian Stamp Act, 1899 (2 of 1899) as amended by the said Ordinance, shall be deemed to have been done or taken under the said Act, 1899, as amended by this Act.

SANDIP JACQUES  
Secretary to the  
Government of Goa,  
Law Department  
(Legal Affairs).  
Secretariat,  
Porvorim-Goa.  
Dated: 15-10-2024.

[www.goaprintingpress.gov.in](http://www.goaprintingpress.gov.in)

Printed and Published by the Director, Printing & Stationery,  
Government Printing Press,  
Mahatma Gandhi Road, Panaji-Goa 403 001.

**PRICE – Rs. 6.00**

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA—230/100—10/2024.